

“determining whether the occurrence of water interference exceeds an interference level” as recited in independent claim 1;

“determining whether the occurrence of water interference corresponds to an interference condition” as recited in independent claim 11; and

“a means for determining whether said occurrence of water interference correspond to an interference condition” as recited in independent claim 19.

As discussed in the specification of the present application, validation of the hydrocarbon measurements can be validated by determining interference from water (see page 9, paragraph 18 of the present application).

It is argued in the Office Action that “Didomenico et al. on column 5, lines 5-29 discloses measurements of occurrence of water interference in gas sample and determines whether occurrence of water interference corresponds to interference condition” as recited in claims 1, 11 and 19.

Didomenico et al. fails to disclose **determining** whether the occurrence of water interference exceeds or corresponds to an interference level or condition as recited in the claims. The present invention as recited in the claims **determines** interference from water to validate the hydrocarbon measurements (see page 9, paragraph 18 of the present application). Didomenico et al. at best discloses **eliminating** responses due to a contaminant water by using a center wavelength 104 (shifted away from a characteristic wavelength) with a corresponding bandwidth 105 (see column 5, lines 22-29 of Didomenico et al.). Didomenico fails to teach or suggest **determining** whether the occurrence of water interference exceeds or corresponds to an interference level or condition as recited in independent claims 1, 11 and 19.

The remaining claims are ultimately dependent on one of claims 1, 11 or 19. Therefore it is respectfully submitted the remaining claims are patentable over Didomenico et al. and Addiego for at least the same reasons as discussed in response to the rejection of claims 1, 11 and 19 as being unpatentable over Didomenico et al. and Addiego.

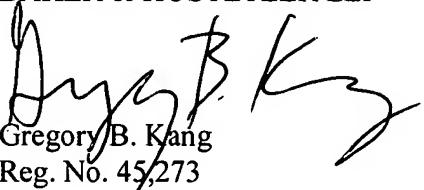
In light of the foregoing, withdrawal of the rejection of claims 1-22 as being unpatentable over Didomenico et al. and Addiego is respectfully requested.

Applicants submit that the application is now in condition for allowance. If the Examiner believes that the application is not in condition for allowance , Applicants respectfully request that the Examiner contact the undersigned by telephone if it is believed that such contact will expedite the prosecution of the application.

In the event this paper is not time filed, Applicants petition for an appropriate extension of time. Please charge any fee deficiencies or credit any overpayments to Deposit Account No. 50-2036.

Respectfully submitted,

BAKER & HOSTETLER LLP

  
Gregory B. Kang  
Reg. No. 45,273

Date: July 15, 2003  
Washington Square, Suite 1100  
1050 Connecticut Avenue, N.W.  
Washington, D.C. 20036-5304  
Telephone: 202-861-1500  
Facsimile: 202-861-1783